



Ireland

Country Reports on Human Rights Practices - [2002](#)

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Ireland is a parliamentary democracy with a long tradition of orderly transfer of power. The Government consists of an executive branch headed by a prime minister, a legislative branch with a bicameral parliament, and a directly elected president. The judiciary is independent.

The national police (Garda Siochana) were under effective civilian control and had primary responsibility for internal security. Since the police were primarily an unarmed force, the army, which was under the effective civilian control of the Minister for Defense, acted in their support when necessary. The country's principal internal security concern since September 2001 has been the prevention of terrorist activity by international terrorists; however, the Government continued to monitor closely indigenous paramilitary groups active in the Republic and Northern Ireland. While most paramilitary groups, on both sides of the border, have declared permanent cease-fires pursuant to the 1998 Good Friday Peace Agreement, several groups remained active. Members of the police used excessive force during a May Day demonstration.

The country had an open, market-based economy that was highly dependent on international trade. Its population was 3.92 million. Assistance received from the European Union (EU) over the past two decades has helped the country to address socio-economic imbalances and infrastructure deficiencies. Although the country's economic performance in the past decade has been strong, unemployment during the year rose to 4.5 percent. However, per capita gross national product also increased by approximately 15 percent to \$29,425.

The Government generally respected the human rights of its citizens; although there were some problems, the law and judiciary provided effective means of dealing with individual instances of abuse. There were problems in prison sanitation and health care; however, recent renovations and new building projects significantly lessened prison overcrowding. The use of special arrest and detention authority and the use of non-jury courts in specific circumstances continued. Films, books, and periodicals were subject to occasional censorship; however, only videos actually were censored. Abuse and mistreatment of women and children were problems. Asylum seekers and Travellers (a nomadic community) faced some discrimination, and there were incidents of violence against racial minorities and immigrants. Ireland was invited by the Community of Democracies' (CD) Convening Group to attend the November 2002 second CD Ministerial Meeting in Seoul, Republic of Korea, as a participant.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life by the Government or its agents.

In January the Special Criminal Court in Dublin convicted Irish citizen Colm Murphy and sentenced him to 14 years for conspiracy in the 1998 bombing in Omagh, Northern Ireland. Murphy was the first person to be convicted in connection with the worst terrorist attack on the island in 30 years.

The Commission for the Location of Victims' Remains--established to locate the remains of persons abducted by the Provisional Irish Republican Army (IRA) in the 1970's--remained suspended during the year pending receipt of new information from the IRA.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices, and there were no reports that government officials employed them. Unlike in previous years, there were no confirmed instances of police abuse of detainees and prisoners.

The Government recorded the questioning of suspects in Garda stations, a practice designed to deter abuse or mistreatment. The Garda Complaints Board recorded 1,281 complaints (ranging from rudeness to physical abuse by police officers) in 2001.

There were incidents of societal violence against racial minorities and immigrants (see Section 5). The Garda Racial and Intercultural Office developed an electronic recording mechanism to track racially motivated incidents, but statistics generated were not available at year's end.

Prison conditions generally met international standards. Recent renovations and new building projects significantly improved physical infrastructure and reduced overcrowding; however, some prisons still lack in-cell sanitation facilities such as toilets and running water. Prisons also lacked sufficient health care facilities and services. The country had a low incarceration rate (80 inmates per 100,000 population), and the prison regime was generally liberal. Male prisoners were held separately from female prisoners, juveniles were held separately from adults, and pretrial detainees were held separately from convicted prisoners.

Prisoners with complaints of mistreatment by prison officials or negligence of health and safety due to prison conditions had access to mechanisms for redress; however, the Justice Department indicated that there were no allegations of mistreatment of prisoners by the Prison Service during the year, and there were no outstanding claims from previous years.

The authorities continued to arrest and incarcerate at Portlaoise Prison persons involved in paramilitary activity. Conditions for these inmates were generally the same as those for the general prison population.

The Government permitted prison visits by domestic and international human rights observers in most cases; however, appointments were necessary to tour facilities. In December the Prison Service refused prison access to an NGO planning to conduct a study on racism; the Prison Service made the decision on the grounds that it had funded a similar study that was already underway. The Council of Europe's Committee for the Prevention of Torture (CPT) visited prisons during the year to assess the Government's response to their 1998 recommendations for improving conditions; its report was not available at year's end. Diplomatic observers who visited the Central Mental Hospital in Dundrum, the country's only prison for inmates with mental disabilities, which was condemned by the CPT in 1999, reported that little progress had been made to improve deplorable conditions.

d. Arbitrary Arrest, Detention, or Exile

The Constitution stipulates that no person shall be deprived of personal liberty without due process under the law; however, the use of special arrest and detention authority continued. A detainee has the right to petition the High Court, which is required to order the detainee's release unless it can be shown that the person is being detained in accordance with the law. The Criminal Justice Act provides for an initial period of detention of 6 hours, with an extension of another 6 hours pursuant to the direction of a police officer of the rank of superintendent or above in cases where there are grounds for believing that such detention is necessary for the proper investigation of an offense. A continuation of detention for 8 hours overnight is possible, to allow a detainee to sleep.

The Offenses Against the State Act allows police to arrest and detain for questioning anyone suspected of committing a "scheduled offense"--crimes involving firearms, explosives, or membership in an unlawful organization. Although the stated purpose of the act is to "prevent actions and conduct calculated to undermine public order and the authority of the State," it is not restricted to subversive offenses. As a result, the police have broad arrest and detention powers in any case involving firearms. In cases covered by this act, the initial period of detention without charge is 24 hours at the direction of a police superintendent; detention may be extended another 24 hours by a judge. However, under the terms of the Decommissioning Law, the authorities may not institute proceedings against individuals for any offense committed in the course of decommissioning illegally held arms in accordance with an approved arms decommissioning scheme. Detainees and prisoners are allowed

unrestricted access to attorneys. If the detainee does not have an attorney, the court will appoint one; if the detainee cannot afford an attorney, the Government will provide one through the Free Legal Aid program.

The law allows a court to refuse bail to a person charged with a serious offense where it is considered reasonably necessary to prevent the commission of another serious offense. A schedule of serious offenses is defined by law; the offense must be one that carries a penalty of 5 years' imprisonment or more.

The Offenses Against the State Act also provides for the indefinite detention, or internment, without trial of any person who is engaged in activities that are "prejudicial to the preservation of public peace and order or to the security of the State"; however, this power has not been invoked since the late 1950's. The act allows police to detain suspects in certain crimes, usually those involving serious offenses with firearms or explosives, for 48 hours. A 24-hour extension is possible if approved by a judge. The act also curtails the right of silence. Under the amendment, if the accused was informed of the consequences of remaining silent to questions regarding his whereabouts, associations, or actions, then the accused person's silence may be used as corroborative evidence of guilt. The accused person's failure to respond to accusations of membership in an illegal organization also may be used as corroborative evidence of guilt. However, the accused may not be convicted based solely on a refusal to speak.

Membership in or leadership of an illegal organization as defined by the Offenses Against the State Act carries a possible life sentence. The word of a police superintendent can be used as corroborative evidence of membership. Collecting information to aid in the commission of a serious offense carries a penalty of up to 10 years' imprisonment, a fine, or both. Withholding information that could prevent a "serious" offense or that could aid in the apprehension or conviction of a perpetrator also is illegal, with a penalty of up to 5 years' imprisonment, a fine, or both.

The Criminal Justice (Drug Trafficking) Act permits detention without charge for up to 7 days in cases involving drug trafficking; however, to hold a suspected drug trafficker for more than 48 hours the police must seek a judge's approval.

The Constitution prohibits forced exile, and the Government did not employ it.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respected this provision in practice.

The judicial system consists of a district court with 23 districts, a circuit court with 8 circuits, the High Court, the Court of Criminal Appeal, and the Supreme Court. The President appoints judges recommended by the Judicial Appointment Board, who choose from a list presented by the Government.

The Director of Public Prosecutions, an independent government official, prosecutes criminal cases. Jury trials usually are used in criminal cases, and the accused may choose an attorney. For indigent defendants, the State assumes the cost of providing counsel under the criminal legal aid scheme.

The Constitution explicitly allows "special courts" to be created when "ordinary courts are inadequate to secure the effective administration of justice and the preservation of public peace and order." In 1972 the Government created a non-jury "Special Criminal Court" (SCC) to try "scheduled offenses." Largely a reaction to paramilitary violence related to the troubles in Northern Ireland, the use of the SCC was justified as necessary to address the problem of jury intimidation in cases involving defendants with suspected paramilitary links. In 2001 the SCC indicted 29 persons and held 18 trials; 22 individuals were convicted on guilty pleas and 7 persons were convicted on not guilty pleas.

In addition to scheduled offenses, the Director of Public Prosecutions can have any nonscheduled offense tried by the SCC by certifying that the ordinary courts are inadequate to secure the effective administration of justice and the preservation of public peace. In lieu of a jury, the SCC always sits as a three-judge panel, and its verdicts are by majority vote. Rules of evidence are generally the same as in regular courts; however, the sworn statement of a police chief superintendent identifying the accused as a member of an illegal organization is accepted as prima facie evidence. Sessions of the SCC generally are public, but judges may exclude certain persons other than journalists. Appeals of SCC decisions are allowed in certain circumstances. The Government continued to review the ongoing need for the SCC.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution and the law prohibit such actions, and the Government generally respected these prohibitions in practice.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech; however, freedom of the press is subject to the constitutional qualification that it not "undermine public order or morality or the authority of the state." The Constitution prohibits the publication or utterance of "blasphemous, seditious, or indecent matter."

There were eight independent national newspapers and many local newspapers; two independent current affairs magazines were published, along with hundreds of special interest magazines.

Broadcasting remained mostly state controlled, but private sector broadcasting continued to grow. There were 49 independent radio stations and an independent television station. Expanded access to cable and satellite television lessened considerably the relative influence of state-controlled broadcasting. The Broadcasting Complaints Commission oversees standards and investigates complaints about programming. The Broadcasting Act empowers the Government to prohibit the state-owned radio and television network from broadcasting any matter that is "likely to promote or incite to crime or which would tend to undermine the authority of the State." The Act was not employed during the year.

The Office of the Film Censor must classify films and videos before they can be shown or sold, and distributors pay fees to finance the censor's office. Under the Censorship of Films Act, the censor has the authority to cut or ban any film that is "indecent, obscene, or blasphemous," or which tends to "inculcate principles contrary to public morality or subversive of public morality." During the year, no theatrical films were banned, but 16 videos were banned--primarily because of their pornographic or violent content--compared with 26 in 2001. Decisions of the censor can be appealed to a nine-member appeal board within 3 months, but neither the censor nor the appeal board is required to hear arguments or evidence in public or to state the reasons for its decisions.

Books and periodicals also were subject to censorship; however, as in previous years, no books or periodicals were censored. The Censorship of Publications Act calls for a five-member board to examine publications referred to it by the customs service or the general public. It also may examine books (but not periodicals) on its own initiative. The board may prohibit the sale of any publication that it judges to be indecent or obscene or that advocates the procurement of abortion or miscarriage.

While the press operated freely, some observers believed that the Defamation Act (which puts the onus on newspapers and periodicals accused of libel to prove that defamatory words are true) and the Official Secrets Act (which gives the State wide scope to prosecute unauthorized disclosures of sensitive government information) may result in some self-censorship.

Internet access was available and unrestricted. An Internet Advisory Board supervised self-regulation by Internet service providers and operated a hot line for complaints about any Irish-hosted child pornography sites the Internet.

The Government did not restrict academic freedom.

b. Freedom of Peaceful Assembly and Association

The Constitution provides citizens with the right to "assemble peaceably and without arms"; however, it also allows the State to "prevent or control meetings" that are calculated to breach the peace or to be a danger or nuisance to the general public. It is unlawful to hold any public meeting on behalf of, or in support of, an illegal organization; however, the Government allowed meetings and assemblies by some groups that are associated with illegal terrorist organizations.

Police conduct during demonstrations generally was restrained; however, seven gardai accused of using their

batons excessively during a May Day demonstration in Dublin faced charges of assault; at year's end, the seven gardai were awaiting trial and were confined to indoor duties pending the outcome of the proceedings. An additional seven or eight police officers who used their batons excessively on the demonstrators were not identified.

The Constitution provides citizens with the right to form associations and unions; however, the law mandates the prosecution and incarceration of persons for mere membership in a terrorist organization. Nevertheless the Government permitted some groups associated with illegal terrorist organizations to meet.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice. The Constitution prohibits promotion of one religion over another and discrimination on the grounds of religion or belief, and the Government did not restrict the teaching or practice of any faith.

While approximately 92 percent of the population is Roman Catholic, the Church is not officially established. However, adherence to Roman Catholicism may be politically advantageous because of the country's history and tradition as a predominantly Catholic country and society. A majority of officeholders from the major political parties (Fianna Fail and Fine Gael) were practicing Catholics.

The Government does not require but does permit religious instruction in public schools. Most primary and secondary schools are denominational--the majority Catholic--and the Catholic Church partially controls their boards of management. The Government provides equal funding to the schools of different religious denominations. Although religious instruction is an integral part of the curriculum, parents may exempt their children from such instruction.

For a more detailed discussion see the 2002 International Religious Freedom Report.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights, and the Government generally respected them in practice.

The Government grants refugee and asylum status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government developed specific administrative procedures for the implementation of the convention in consultation with the U.N. High Commissioner for Refugees (UNHCR), and pursuant to a Supreme Court ruling, these procedures are binding on the Department of Justice, Equality, and Law Reform. The 1996 Refugee Act provides for asylum procedures that are in accordance with EU guidelines and also makes provision for invited refugees under UNHCR programs. The Government cooperated with the office of the UNHCR and other humanitarian organizations in assisting refugees.

A large number of asylum seekers continued to strain the Government's processing system and challenge societal acceptance (see Section 5). A record number of 11,530 asylum seekers entered the country, compared with 10,325 in 2001. The Government reduced processing time for new asylum applications from over 1 year to approximately 4 months: At year's end, 4,900 applications awaited processing, compared with 8,483 at the end of 2001. The Government granted first asylum to 893 persons, compared with 458 in 2001; in the same period, 1,097 persons were granted asylum on appeal, compared with 479 in 2001.

The Garda National Immigration Bureau (GNIB) monitored nonnationals who were the subject of deportation orders. The GNIB coordinated activities that led to deportation, including "Operation Hyphen"--a July raid on illegal immigrants that resulted in the arrest of 140 persons, 16 of whom were former asylum seekers awaiting deportation (the remainder had entered or were in the country legally). The GNIB also oversaw operational strategies and resources at ports of entry, coordinated efforts to combat trafficking in illegal immigrants, strengthened international liaison on immigration issues, administered the non-national registration service, and generally enforced immigration law.

The law forbids, and there were no reports of, the forced return of persons to a country where they fear persecution.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage for citizens over the age of 18. The Parliament is bicameral; members of the Dail (House of Representatives)--the chamber that carries out the main legislative functions--are elected popularly, while most members of the Seanad (Senate) are elected by vocational and university groups, with the others appointed by the Prime Minister. Several political parties have seats in both bodies. The President is elected popularly for a 7-year term and is limited to 2 terms. An appointed Council of State advises the President. Parliamentary elections were held on May 17, and Presidential elections were held in October 1997.

The President was a woman, and 22 of the 166 deputies in the Dail and 9 of the 60 senators were female. Two of the 15 government ministers were female, as were 2 of the 17 junior ministers. Three women sat on the 26-member High Court, and 2 of the 8 Supreme Court judges were female.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were cooperative and responsive to their views.

A government ombudsman investigated complaints by those who believed that they had been unfairly treated by the Government or by local authorities.

The Human Rights Commission, established by the Government in 2000 as stipulated in the Good Friday Agreement, began functioning at year's end. The Commission was responsible for providing information and promoting awareness of human rights, commenting on human rights draft legislation referred to it by the Parliament, making recommendations to the Government on the adequacy and effectiveness of laws and practices, and initiating court proceedings or providing assistance to individuals doing so. The Good Friday Agreement also mandates equivalency with regard to protection of human rights in Northern Ireland and the Republic of Ireland.

Section 5. Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Employment Equality Act outlaws discrimination in relation to employment on the basis of nine distinct discriminatory grounds: Gender, marital status, family status, sexual orientation, age, disability, race, and membership in the Traveller community. The 2000 Equal Status Act outlaws discrimination in the provision of goods, facilities, and services on these grounds.

Women

Domestic violence and emotional abuse were common problems, although there were modest improvements. The Garda recorded 9,983 incidents of domestic violence in 2001, a decrease of 8 percent from 2000. The National Steering Committee on Violence Against Women (a multiagency government body) continued its public outreach campaign to combat violence against women, which it described as a "hidden" and "severely under reported" problem. Since the campaign began in 1999, there have been increases in the number of counseling calls to the country's 18 rape crisis centers, in the number of rapes reported, and in public awareness about the extent of the problem. In addition to the 18 rape crisis centers, there were 15 women's shelters and 13 women's centers throughout the country, funded in part by the Government.

In 2001 the Dublin Rape Crisis Center reported receiving 9,982 counseling calls in all categories (child sexual abuse, adult rape, adult sexual assault, sexual harassment), which was a significant increase over the previous year. The center estimated in 2001 that 167 rape victims reported the crime to police. Recent victims and victims raped by a stranger were more likely to report the rape to police. In 2001 17 rape cases were tried, resulting in 15 convictions.

The law criminalizes rape within marriage, and the Civil Legal Aid Act provides for free legal advice to victims in cases of serious sexual assault. In rape cases, the State brings the case against the accused, with the complainant (victim) acting as a witness. The 2000 Sex Offenders Bill provides that "separate legal representation will be provided to complainants in rape and other serious sexual assault cases where application is made to adduce evidence or to cross-examine the complainant about his or her past sexual experience."

The law prohibits discrimination against women in the workplace; however, inequalities persisted regarding pay and promotions in both the public and the private sectors. Women held 46 percent of public sector jobs but were underrepresented in senior management positions. A 1999 government report found that at least 50 percent of state-sponsored bodies have no guidelines for dealing with sexual harassment and no policy on equal opportunity. The law provides for protection and redress against discrimination based on gender and marital status, and the Equality Authority monitored the implementation of the law. In 2001 the earnings of women averaged 85 percent of those of men.

Women's participation in the workforce was hampered by the lack of adequate childcare facilities. To encourage the participation of parents, both men and women, in the workforce, the Government included in its 2000-2006 national development plan an equal opportunities childcare program, which allocated approximately \$275 million (317 million Euros) to improve childcare availability and quality.

The Maternity Protection Act provides a woman with 14 weeks of paid maternity leave and the right to return to her job. The Parental Leave Act allows a child's mother and father each to take 14 weeks of unpaid leave to care for a child under the age of 5. Although each parent has a separate entitlement to parental leave, the leave is not transferable, i.e., the mother cannot take the father's leave or vice versa. Parental leave does not affect a mother's right to maternity leave.

Children

The Government was committed strongly to children's rights and welfare; it amply funded systems of public education and health care. Under the Child Care Act, education is free and compulsory for children from 6 to 15 years of age. Almost all children attended school. The Minister of State (junior minister) for Health has special responsibility for children's policy, including monitoring the implementation of the Child Care Act by the eight regional health boards. The Status of Children Act provides for equal rights for children in all legal proceedings.

The sexual abuse of children was a problem and continued to receive significant media attention. During the year, past sexual abuse by Catholic priests came under intense media and public scrutiny. Following an October national television program that exposed numerous cases of child sexual abuse by priests and possible cover-ups by Church authorities, the Government announced plans to establish a commission to investigate these charges. The Dublin Rape Crisis Center reported that 44 percent of calls to its crisis line involved child sexual abuse. The Child Care Act places a statutory duty on government health boards to identify and help children who are not receiving adequate care, and it gives the police increased powers to remove children from the family when there is an immediate and serious risk to their health or welfare. The Child Trafficking and Pornography Act aims to protect children from sexual exploitation, including any exchange of information on the Internet that implies a child is available for sex.

Persons with Disabilities

The Government Commission on the Status of People with Disabilities estimated that approximately 10 percent of the population have a disability. It is unlawful to discriminate against anyone on the basis of disability in relation to employment. Nongovernmental organizations (NGOs) claimed that there is societal discrimination against persons with disabilities.

As a result of public dissatisfaction with provisions of the proposed 2001 Disability Act and The Education Disability Bill the Government withdrew the proposals that were intended to build on existing legislation.

The 1991 Building Regulations Act established minimum criteria to ensure access for persons with disabilities to all public and private buildings constructed or significantly altered after 1992; however, enforcement was uneven.

A National Disability Authority has responsibility for setting disability standards, monitoring the implementation of these standards, and researching and formulating disability policy. The authority's strategic plan for 2000-03 has three priorities: The development of policies to promote the equal status of persons with disabilities, influencing societal attitudes, and ensuring services for persons with disabilities.

National/Racial/Ethnic Minorities

Approximately 25,000 nomadic persons regard themselves as a distinct ethnic group called "Travellers," roughly comparable to the Roma of continental Europe. The Traveller community has its own history, culture, and

language. Travellers faced societal discrimination and regularly were denied access to premises, goods, facilities, and services; many restaurants and pubs, for example, will not serve them. Anti-trespassing legislation enacted this year led to evictions of Travellers from public and private property. Despite national school rules that provide that no child may be refused admission on account of social position, Travellers frequently experienced difficulties enrolling their children in school, and the students at times were segregated into all-Traveller classes. Of the estimated 5,000 Traveller families, approximately 1,200 lived on roadsides or on temporary sites without toilets, electricity, or washing facilities. Many Travellers were dependent on social welfare for survival and were unable to participate in the mainstream economy because of discrimination and a lack of education.

The Employment Equality Act outlaws job discrimination against Travellers. As recommended by a 1995 task force report, a monitoring committee oversaw reforms to address problems encountered by Travellers.

The Housing (Traveller Accommodation) Act requires local elected officials to draw up and implement Traveller accommodation plans on a 5-year basis and requires Traveller input in the process. In 2001 the monitoring committee issued a report with 85 recommendations, including providing 2,200 housing units to Traveller families this year. At year's end, 129 units had been allocated. The report acknowledged that tracking the progress of improvements in the Traveller community was difficult because of a lack of data on Travellers' use of education and health services. To develop better relations between Travellers and the settled community, the Government agreed to provide a Traveller Mediation Service and \$1 million (1.14 million Euros) over a 3-year period for awareness programs.

Societal discrimination and racial violence accompanied the growing influx of foreign workers. These developments sparked public debate over the openness of society to immigrants and how to address outbreaks of xenophobic incidents of violence. In 2001 an Amnesty International survey found that 78 percent of respondents reported having experienced racism. Racially motivated incidents involved physical violence, intimidation, and verbal slurs, and the majority of incidents of racist violence took place in public places. In January a group of youths taunted and with an iron bar beat a 29-year-old Chinese student who was walking home from a party in north Dublin with two other Chinese nationals. The student later died in the hospital—the country's first confirmed racially motivated fatality. One of the six juvenile perpetrators was charged with manslaughter, and the other five were charged with violent disorder; the cases remained pending at year's end.

Section 6. Worker Rights

a. The Right of Association

The law provides workers with the right to join—or refrain from joining—a union, and workers exercised this right in practice.

Approximately 50 percent of workers in the private and public sectors were union members. Police and military personnel may form associations, but technically not unions, to represent themselves in matters of pay, working conditions, and general welfare. The Irish Congress of Trade Unions (ICTU) represented 58 unions island-wide, including 48 in the Republic of Ireland. The ICTU was independent of the Government and political parties.

The Anti-Discrimination (Pay) Act and the Employment Equality Act make the Equality Authority responsible for the investigation of allegations of antiunion discrimination, which is prohibited under the law. If the authority is unable to obtain resolution, the dispute goes before the Labor Court, which consists of one representative each for the employer and the union, plus an independent chairperson. The Unfair Dismissals Act provides for various forms of relief in cases where employers are found guilty of antiunion discrimination, including the reinstatement of workers fired for union activities.

Unions may freely form or join federations or confederations and affiliate with international bodies, and many did so.

b. The Right to Organize and Bargain Collectively

Labor unions have full freedom to organize and to engage in collective bargaining, and unions exercised this right in practice. Most terms and conditions of employment were determined through collective bargaining, in the context of a national economic pact negotiated every 3 years by the "social partners," i.e., unions, employers, farmers, and the Government. The latest version of these agreements, the Partnership for Prosperity and Fairness, was signed in 2000.

The Labor Relations Commission provides advice and conciliation services in industrial disputes. The Commission may refer unresolved disputes to the Labor Court, which may recommend terms of settlement and may set up joint employer-union committees to regulate conditions of employment and minimum wages in a specific trade or industry.

The law provides for the right to strike, and this right was exercised in both the public and private sectors; however, police and military personnel are prohibited from striking. A number of strikes occurred during the year, notably in the manufacturing, transport, storage and communication sectors, although the number of days lost to industrial disputes fell sharply from last year--12,110 in the first 6 months of this year, compared with 110,133 in the same period in 2001. All strikes concluded peacefully, with the unions involved achieving some, if not all, of their goals. The 1990 Industrial Relations Act prohibits retribution against strikers and union leaders; the Government effectively enforced this provision through the Department of Enterprise, Trade, and Employment.

The export processing zone at Shannon Airport operated under the same labor laws as the rest of the country.

c. Prohibition of Forced or Bonded Labor

The law prohibits forced or bonded labor, including by children, and there were no reports that such practices occurred.

d. Status of Child Labor Practices and Minimum Age for Employment

Under the law, employers may not employ children under the age of 16 in a regular, full-time job. Employers may hire 14- or 15-year-olds for light work on school holidays, as part of an approved work experience or educational program, or on a part-time basis during the school year (for children over the age of 15 only). The law sets rest intervals and maximum working hours, prohibits the employment of 18-year-olds for late night work, and requires employers to keep specified records for workers who are under 18 years of age. Enforcement was reportedly lax, but violations were rare.

e. Acceptable Conditions of Work

During the year, a new national minimum wage, \$6.00 (6.35 Euros) per hour, went into effect. This wage does not provide a decent standard of living for a worker and family; however, low-income families are entitled to benefits such as subsidized housing and children's allowances.

The standard workweek is 39 hours. Working hours in the industrial sector are limited to 9 hours per day and 48 hours per week. Overtime work is limited to 2 hours per day, 12 hours per week, and 240 hours per year. The Department of Enterprise, Trade, and Employment is responsible for enforcing the laws dealing with occupational safety, which provide adequate and comprehensive coverage; no significant complaints arose from either labor or management regarding enforcement of these laws. Regulations provide workers with the right to remove themselves from dangerous work situations that present a "serious, imminent and unavoidable risk" without jeopardy to their continued employment.

f. Trafficking in Persons

The law prohibits trafficking in persons, and there were no confirmed reports that persons were trafficked to, from, or within the country; however, NGOs believed there were cases of trafficking, although they had no concrete evidence.

The Child Trafficking and Pornography Act criminalizes trafficking in children for the purpose of sexual exploitation, with penalties of up to life imprisonment. The Illegal Immigrants (Trafficking) Bill criminalizes the activities of persons trafficking in illegal immigrants and asylum seekers. There is no specific legislation addressing trafficking in women for sexual criminal activities, although laws prohibit the exploitation of prostitutes, and the exploitation of prostitutes by means of coercion or fraud. Traffickers who facilitate for gain the entry of illegal immigrants or asylum seekers are liable for fines or imprisonment for terms ranging from 1 to 10 years.

The Ministries of Justice and Foreign Affairs and the GNIB were involved in antitrafficking efforts, and there were links between government officials, NGOs, and other elements of civil society on trafficking issues. A coalition of NGOs that deal in part with trafficking issues met periodically during the year.

